

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
Robert J. Romacka/John B. Gontum
(Type or Print Name)
Signature _____
Address _____
City and State _____
Telephone No.: _____

Legal Owner(s): _____
Gussie's, Inc.
(Type or Print Name)
Signature _____
Clyde Woodard
(Type or Print Name)
Signature _____
340 Savannah Road 686-2519
Baltimore, Md. 21221
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name _____
Address _____
Phone No. _____

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106 County Office Building in Towson, Baltimore County, on the _____ day of _____, 1981, at 10:45 o'clock A.M.

RESCHEDULED TO:
Tuesday, July 14, 1981
at 1:30 P.M.

E.C.O. No. 1 (over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner Date: May 25, 1981
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Petition No. 81-212-SPH Item 163

Petition for Special Hearing
West side of Old Eastern Avenue, 16 feet North of Rickenbacker Road
Petitioner- Gussie's, Inc.

Fifteenth District

HEARING: Thursday, June 11, 1981 (10:45 A.M.)

Since the purpose of this hearing is to determine the legal status of this property as to non-conformance, this office offers no comment.

NEG:JGH:ab

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this _____ day of _____, 1981.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Gussie's, Inc.

Petitioner's Attorney: R.J. Romacka/J.B. Gontum, Esquire
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 9, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #163 (1980-1981)
Property Owner: Gussie's Inc.
W/S Eastern Avenue 15.67' N. of Rickenbacker Rd.
Acres: 0.63 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved in connection with this Special Hearing for approval of a non-conforming use.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #163 (1980-1981).

Very truly yours,

ROBERT A. WORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:PWR:ss
I-SE Key Sheet
9 NE 32 Pos. Sheet
NE 3 H Topo
90 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

May 18, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #163, Zoning Advisory Committee Meeting, March 10, 1981, are as follows:

Property Owner: Gussie's Inc.
Location: W/S Eastern Avenue 15.67' N. of Rickenbacker Road
Acres: 0.63
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Since the petition is to approve a non-conforming use, there are no site planning factors requiring comment at this time.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD I. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

March 13, 1981

Mr. William E. Hammond
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 163, Zoning Advisory Committee Meeting of March 10, 1981, are as follows:

Property Owner: Gussie's Inc.
Location: W/S Eastern Avenue 15.67' N. of Rickenbacker Road
Existing Zoning: D.R. 16
Proposed Zoning: Special Hearing to approve a non-conforming use of retail shopping for 1700 Old Eastern Avenue.
Acres: 0.63
District: 15th

Metropolitan water and sewer exist.

Prior to construction, renovation and or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, Baltimore County Department of Health, for review and approval.

Very truly yours,

IAN J. FORREST, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/xc

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 8, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert J. Romacka, Esquire
John B. Gontum, Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

RE: Item No. 163
Petitioner - Gussie's Inc.
Special Hearing Petition

Dear Sirs:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENC:bec

Enclosures

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Md. 21231

changed or terminated from 1945 to the date of the hearing because his present business is located only one-half mile away from the site and he is able to observe the property everyday.

Since no one appeared at the hearing in opposition to the petition and this Commissioner feels that the finding of nonconforming uses being conducted on the subject property will not adversely affect the health, safety, and general welfare of the community,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of July, 1983, that the nonconforming uses for a restaurant, liquor store, washer-dryer sales and service store, and beauty shop in the improvement known as 1700 Old Eastern Avenue, including three apartments to the rear of the second floor of said improvement, and two apartments and two garages in the separate improvement located to the west, in accordance with Petitioner's Exhibits 1 and 1A, have existed and have been conducted prior to the adoption of the Baltimore County Zoning Regulations and, as such, are hereby GRANTED the right to continue from and after the date of this Order, subject, however, to the following restrictions:

1. Abandonment or discontinuance for a period of one year or more shall terminate the nonconforming uses.
2. Damage by fire or other casualty of the improvement to the extent of 75% of its replacement cost at the time of such loss shall terminate the nonconforming uses.
3. A revised site plan, changing Eastern Avenue to Old Eastern Avenue and incorporating the restrictions set forth above, shall be submitted for approval by the Department of Public Works and the Office of Planning and Zoning.

William E. Eisenhart
Zoning Commissioner of
Baltimore County

- 2 -

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
W/S of Old Eastern Ave., 16'
N of Rickenbacker Rd., 15th District : OF BALTIMORE COUNTY
GUSSIE'S, INC., Petitioner : Case No. 81-212-SPH

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of June, 1981, a copy of the foregoing Order was mailed to Robert J. Romadka, Esquire and John B. Gontrum, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221, Attorneys for Petitioner.

John W. Hession, III
John W. Hession, III

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

November 17, 1983

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 81-212-SPH

GUSSIE'S INC.

W/s Old Eastern Ave., 16' N of
Rickenbacker Rd.

15th District

SPH-for approval of a nonconforming use of a
retail shopping area and apts.

7/20/83 - Z.C. Granted, subj. to restrictions

WEDNESDAY, JANUARY 25, 1984, at 10 a.m.

ASSIGNED FOR:

cc: Robt. J. Romadka, Esq.
John Gontrum, Esq.

Counsel for Petitioners

Guessie's, Inc.

Petitioner

T. J. Bollinger, Esq.

Office of Law

N. E. Gerber

J. Hoswell

A. Jablon

J. Dyer

A. January

J. Jung

June Holmen, Secretary

LAW FIRM
Romadka, Gontrum, Hession & Poes

GERMANIA FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 886-8874

ROBERT J. ROMADKA
JOHN B. GONTRUM
JOHN W. HESSIAN
CHARLES E. POES, III
JOANNE M. PNEGAN

OF COUNSEL:
ALFRED M. WALBERT

January 4, 1983

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

Re: Guessie's Inc.
W/s Old Eastern Ave., 16' N of
Rickenbacker Road
Case No.: 81-212-SPH

Dear Sir/Madam:

The above captioned case is scheduled for hearing on Wednesday, January 25, 1984 at 10:00 a.m. We have filed a request for a hearing which has been granted by the zoning commission and we believe that it will moot the appeal. Please postpone the hearing which is scheduled for January 25, 1984.

Very truly yours,

John B. Gontrum
John B. Gontrum

JBG:pr

*Dec'd 1/16/84
11:00 A.M.*

*Postponement granted by zoning
com.*



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

January 11, 1984

NOTICE OF POSTPONEMENT

CASE NO. 81-212-SPH GUSSIE'S, INC.

W/S OLD EASTERN AVENUE 16' N. OF
RICKENBACKER ROAD
15th DISTRICT

Scheduled for hearing on Wednesday, January 25, 1984 at 10 a.m. has been POSTPONED at the request of counsel for the petitioner (appeal may be moot). Will be reset at a later date.

cc: Robert J. Romadka, Esquire
John B. Gontrum, Esquire
Guessie's, Inc.
Thomas J. Bollinger, Esquire
N. E. Gerber
J. G. Hoswell
A. Jablon
J. E. Dyer
J. Jung
A. January

Edith T. Eisenhart, Adm. Secretary

11/17/83 - Following were notified of hearing set for Wed., Jan. 25, 1984, at 10 a.m.:

R. Romadka
J. Gontrum
Guessie's Inc.
T. Bollinger
N. Gerber
J. Hoswell
A. Jablon
J. Dyer
A. January
J. Jung

*Postponed 1-11-84
case may be moot*

August 22, 1984

Robert J. Romadka, Esquire
John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, MD 21221

Re: Case No. 81-212-SPH
Guessie's, Inc.

Dear Sirs:

The above entitled case was appealed to this Board on August 11, 1983. The case was scheduled for hearing on January 25, 1984 but postponed at your request as there was a possibility that the appeal would be dismissed as the issue would become moot.

Inasmuch as we have not heard further from you we would appreciate your advice as to the current status of this case. If it is moot please dismiss your appeal, if not, we will schedule the case for hearing. Thank you.

Very truly yours,

William T. Hackett, Chairman

July 20, 1983

Robert J. Romadka, Esquire and
John B. Gontrum, Esquire
Germania Federal Building
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
W/S of Old Eastern Avenue, 16' N of Ricken-
backer Road - 15th Election District
Guessie's, Inc. - Petitioner
NO. 81-212-SPH (Item No. 163)

Gentlemen:

I have this date passed my Order in the above referenced matter in accordance with the attached.

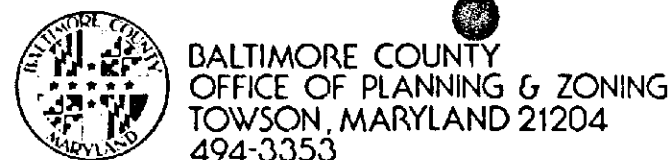
Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel



ARNOLD JABLON
ZONING COMMISSIONER

August 11, 1983

John W. Hessian, III, Esquire
People's Counsel
Room 223 - Courthouse
Towson, Maryland 21204

Re: Petition for Special Hearing
W/S of Old Eastern Avenue, 16' N of
Rickenbacker Road
Gussie's, Inc. - Petitioner
Case No. 81-212-SPH

Dear Mr. Hessian:

Please be advised that an appeal has been filed by Robert J. Romadka and John B. Gontrum, attorneys for the petitioner, from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

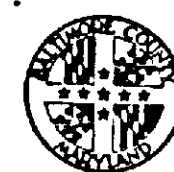
You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Sincerely,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:aj

MICROFILMED



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

September 25, 1984

Robert J. Romadka, Esq.
John B. Gontrum, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221

Gentlemen:

Re: Case No. 81-212-SPH
Gussie's, Inc.

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: Gussie's, Inc.
Thomas J. Bollinger, Esq.
Norman E. Gerber
James Hoswell
Arnold Jablon
James E. Dyer
Arlene January

MICROFILMED

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15 Date of Posting 8/15/83
Posted for: Robert J. Romadka
Petitioner: Gussie's, Inc.
Location of property: W/S of Old Eastern Ave., 16' N of Rickenbacker Rd.
Location of Signs: Facing intersection of Old Eastern and Rickenbacker
Remarks: _____
Posted by: William E. Hammond Date of return: 8/19/83
Number of Signs: 1

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 24 day of Feb, 1981.*

Filing Fee \$ 75.00

Received: ☒ Check
☐ Cash
☐ Other

#163

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 097282

DATE May 11, 1981 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM John B. Gontrum
FOR Filing fee for case #81-212-SPH

480374 11

250004

VALIDATION OR SIGNATURE OF CASHIER

Gussie's Inc.
c/o John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

May 12, 1981

NOTICE OF HEARING

RE: Petition for Special Hearing
West side of Old Eastern Ave., 16' North of Rickenbacker Rd.
Case No. 81-212-SPH

TIME: 10:45 A.M.

DATE: Thursday, June 11, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

MICROFILMED

The Essex Times

Essex, Md., May 21 1981

This is to Certify, That the annexed

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 21st day of May, 1981.

MICROFILMED

\$ 27.50

PETITION FOR SPECIAL HEARING 15th DISTRICT

ZONING: Petition for Special Hearing
LOCATION: West side of Old Eastern Avenue, 16 feet North of Rickenbacker Road
DATE & TIME: Thursday, June 11, 1981, at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments. All that parcel of land in the Fifteenth District of Baltimore County, Maryland, containing 0.63 acres of land more or less, being the property of Gussie's, Inc., as shown on plat plan filed with the Zoning Department, Hearing Date: Thursday, June 11, 1981, at 10:45 A.M. Public Hearing: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland. By Order of WILLIAM E. HAMMOND, Zoning Commissioner of Baltimore County May 21.

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 21, 1981

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time, before the 11th day of June, 1981, the first publication appearing on the 21st day of May, 1981.

THE JEFFERSONIAN
L. Frank
Manager.

Cost of Advertisement, \$ _____

MICROFILMED

81-212-SPH

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15 Date of Posting 5/24/81
Posted for: Petition for Special Hearing
Petitioner: Gussie's, Inc.
Location of property: W/S of Old Eastern Ave., 16' N of Rickenbacker Rd.
Location of Signs: Facing intersection of Eastern and Rickenbacker
Remarks: _____
Posted by: William E. Hammond Date of return: _____
Number of Signs: 1

MICROFILMED



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

May 28, 1981

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
W/S of Old Eastern Ave., 16' N of Rickenbacker Rd.
Gussie's Inc. - Petitioner
Case No. 81-212-SPH

Dear Mr. Romadka:

This is to advise you that \$ 57.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 097688

DATE 7/20/81 ACCOUNT 01-662

AMOUNT \$57.00

RECEIVED FROM Gussie's Inc.

FOR Partial Payment of Posting & Advertising of Case #81-212-SPH

487043 10

570004

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR SPECIAL HEARING

15th DISTRICT

ZONING: Petition for Special Hearing
LOCATION: West side of Old Eastern Avenue, 16 feet North of Rickenbacker Road.
DATE & TIME: Thursday, June 11, 1981, at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments.

All that parcel of land in the Fifteenth District of Baltimore County.

MICROFILMED

Being the property of Gussie's, Inc. as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, June 11, 1981, at 10:45 A.M.
Public Hearing: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CCR</u>	Revised Plans:		Change in outline or description: <u>Yes</u>							
Previous case: <u>#163</u>	Map # <u>4B (NE 2H)</u>									

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 6/27/81

Posted for: Petition for Special Hearing

Petitioner: Gussie's, Inc.

Location of property: W/s Old Eastern Ave., 16' N of Rickenbacker Rd.

Location of Signs: along Eastern Ave.

Remarks: road posting

Posted by: John B. Gontrum Date of return: 7/2/81

Number of Signs: 4

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(SECONIA FEDERAL BUILDING)
ESSEX, MARYLAND 21221
May 19, 1981

ASSOCIATES
CHARLES C. FORD, III
JOHN B. GONTRUM
ALFRED M. WALPERT

Baltimore County Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Gussie's Inc.
Petition for Special Hearing
Case No. 81-212-SPH

Dear Sir:

We have received notice that the hearing in the above noted matter will be heard on Thursday, June 11, 1981 at 10:45 a.m.

I am respectfully requesting that this matter be postponed as I have a previously scheduled hearing in the Circuit Court for Baltimore County on the same date and time - Wilkens Fence Company vs. Oxford Development Company.

Your attention and cooperation in this matter is greatly appreciated.

Very truly yours,
John B. Gontrum
John B. Gontrum

JBG/jc
cc: Mr. Clyde Woodard

May 22 1981 AM

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, MD 21221

June 27, 1981

NOTICE OF HEARING

RE: Petition for Special Hearing
W/s Old Eastern Ave., 16' N of Rickenbacker Rd.
Gussie's, Inc. - Petitioner
Case #81-212-SPH

TIME: 1:30 P.M.

DATE: Tuesday, July 14, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

/s/ William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

The Essex Times
Essex, Md., June 25, 1981

This is to Certify, That the annexed
Petition

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 25th day of June, 1981.

\$27.50
Frank S. Lee
Publisher.

Petition For Variance
15th District
ZONING: Petition for Special Hearing
LOCATION: West side of Old Eastern Avenue, 16 feet North of Rickenbacker Road.
DATE & TIME: Tuesday, July 14, 1981, at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments.
All that parcel of land in the Fifteenth District of Baltimore County, No. 1700 Old Eastern Avenue, 16th District, Baltimore County, Maryland, Beginning for the same on the west side of Old Eastern Avenue at the distance of 15.67 feet measured northerly along the west side of Eastern Avenue from the north side of Rickenbacker Road, thence running and binding on the west side of Eastern Avenue North 23° 16' 34" East 160 feet, thence leaving Eastern Avenue for six lines of division as follows: North 66° 43' 26" East 123.60 feet, South 22° 22' 22" East 21 seconds West 99.70 feet, South 89° 23' 48.10 feet, South 80 degrees 01 minute East 123.60 feet, South 60 degrees 41 minutes East 16.25 feet, South 54 degrees 23 minutes East 181.45 feet to the place of beginning.
Containing 0.63 acres of land more or less.
Being the property of Gussie's, Inc., as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, July 14, 1981, at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
BY ORDER OF:
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 10, 1981

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
W/s Old Eastern Ave., 16' N of Rickenbacker Rd.
Gussie's, Inc. - Petitioner
Case No. 81-212-SPH

Dear Mr. Romadka:

This is to advise you that \$57.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

VALIDATION OR SIGNATURE OF CASHIER
570.00

Posting & Advertising of Case #81-212-SPH

RECEIVED
Gussie's Inc.
AMOUNT: \$57.00
DATE: 9/17/81

ACCOUNT: 01-662

BALTIMORE COUNTY, MARYLAND
MISCELLANEOUS CASH RECEIPT
OFFICE OF FINANCE - REVENUE DIVISION
No. 101625

PETITION FOR SPECIAL HEARING
15th DISTRICT

ZONING: Petition for Special Hearing

LOCATION: West side of Old Eastern Avenue, 16 feet North of Rickenbacker Road

DATE & TIME: Tuesday, July 14, 1981 at 1:30 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments.

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Gussie's, Inc. as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, July 14, 1981 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Phone: 667-6622

FRANK S. LEE
Registered Land Surveyor
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237
December 4, 1980

No. 1700 Old Eastern Avenue
15th District Baltimore County, Maryland

Beginning for the same on the west side of Old Eastern Avenue at the distance of 15.67 feet measured northerly along the west side of Eastern Avenue from the north side of Rickenbacker Road, thence running and binding on the west side of Eastern Avenue North 23 degrees 16 minutes 34 seconds East 160 feet, thence leaving Eastern Avenue for six lines of division as follows: North 66 degrees 43 minutes 26 seconds West 123.60 feet, South 22 degrees 22 minutes 22 seconds East 99.70 feet, South 89 degrees 23 minutes 48.10 feet, South 80 degrees 01 minute East 123.60 feet, South 60 degrees 41 minutes East 16.25 feet, South 54 degrees 23 minutes East 181.45 feet to the place of beginning.

Containing 0.63 acres of land more or less.

FRANK S. LEE
REGISTERED LAND SURVEYOR
BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 25, 1981.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one week before the 11th day of July, 1981, the first publication appearing on the 25th day of June, 1981.

THE JEFFERSONIAN
Frank S. Lee
Manager.

Cost of Advertisement, \$ 24.50

PETITION FOR SPECIAL HEARING-15th DISTRICT
ZONING: Petition for Special Hearing
LOCATION: West side of Old Eastern Avenue, 16 feet North of Rickenbacker Road.
DATE & TIME: Tuesday, July 14, 1981 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming use of a retail shopping area and apartments.
All that parcel of land in the Fifteenth District of Baltimore County, No. 1700 Old Eastern Avenue, 15th District, Baltimore County, Maryland, Beginning for the same on the west side of Old Eastern Avenue at the distance of 15.67 feet measured northerly along the west side of Eastern Avenue from the north side of Rickenbacker Road, thence running and binding on the west side of Eastern Avenue North 23° 16' 34" East 160 feet, thence leaving Eastern Avenue for six lines of division as follows: North 66° 43' 26" East 123.60 feet, South 22° 22' 22" East 21 seconds West 99.70 feet, South 89° 23' 48.10 feet, South 80 degrees 01 minute East 123.60 feet, South 60 degrees 41 minutes East 16.25 feet, South 54 degrees 23 minutes East 181.45 feet to the place of beginning.
Containing 0.63 acres of land more or less.
Being the property of Gussie's, Inc., as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, July 14, 1981, at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
BY ORDER OF:
Zoning Commissioner of Baltimore County

ASSOCIATES
CHARLES E. FODS, III
JOHN B. GONTRUM
ALFRED M. WALPERT

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(GERMANIA FEDERAL BUILDING)
ESSEX, MARYLAND 21221

July 15, 1981

686-8274

Mr. Clyde Woodard
340 Savannah Road
Baltimore, Maryland 21221

RE: Petition for Special Hearing
Gussie's Inc. - Petitioner

Dear Clyde:

I have enclosed a statement from the Office of Planning and Zoning for advertising costs due them in the amount of \$57.00. Please pay these costs as soon as possible.

This is also a reminder that hearing has been rescheduled for August 11, 1981 at 2:00 p.m. in the Office of Planning and Zoning.

Kindest personal regards.

Very truly yours,

Robert J. Romadka
Robert J. Romadka/HJR

msr
enc.

81-2327

ASSOCIATES
CHARLES E. FODS, III
JOHN B. GONTRUM
ALFRED M. WALPERT

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(GERMANIA FEDERAL BUILDING)
ESSEX, MARYLAND 21221

October 12, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Andrew and Theresa Celmer 82-36-SPH
Gussie's Incorporated 81-212-SPH

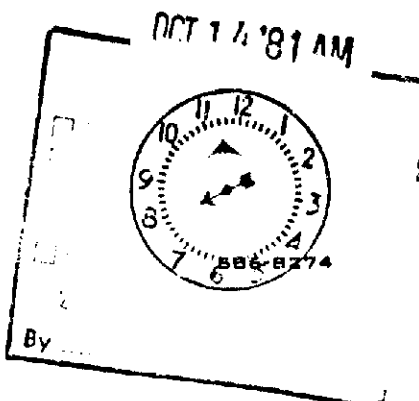
Dear Commissioner Hammond:

Enclosed please find copies of revised site plans in the above referenced cases indicating the square footage of the property devoted to each particular use.

With respect to Gussie's, Inc., located at 1700 Eastern Avenue, there are three uses now in effect in the front building. These uses include a restaurant, liquor store, occupying 1857 square feet, a beauty shop occupying 652 square feet, and a sales and service outlet for washers and dryers and other appliances occupying 263 square feet. It is our contention that these uses qualify as non-conforming uses, having existed in that location prior to enactment of applicable zoning regulations.

With respect to the Celmer property, we have again asked our surveyor, Frank Lee, to determine the square footage utilized in each of the buildings for the particular uses. You will note, for instance, that three of the buildings located toward the water, are utilized exclusively for farm use, a permitted use under the existing RC-5 zoning. It is our contention, however, that this property has been used for many years and indeed qualifies for a non-conforming use for a service garage, boat yard, and contractors equipment storage yard. With respect to these uses Mr. Lee has estimated the square footage utilized for these purposes. You will note that there is no outside storage of disabled or damaged vehicles. The only outside storage is for boats and contractors equipment as indicated on the site plan. You will note also that in building number one part of the building, seventy percent, is utilized as a service garage, and thirty percent is utilized to work on boats and boat motors. Building number four is also divided for both service garage and storage.

-1-



William Hammond, Zoning Commissioner
October 12, 1981
Page 2

If you desire any further information with respect to the use of the property, please let me know. Thank you very much for your consideration with respect to this matter.

Very truly yours,

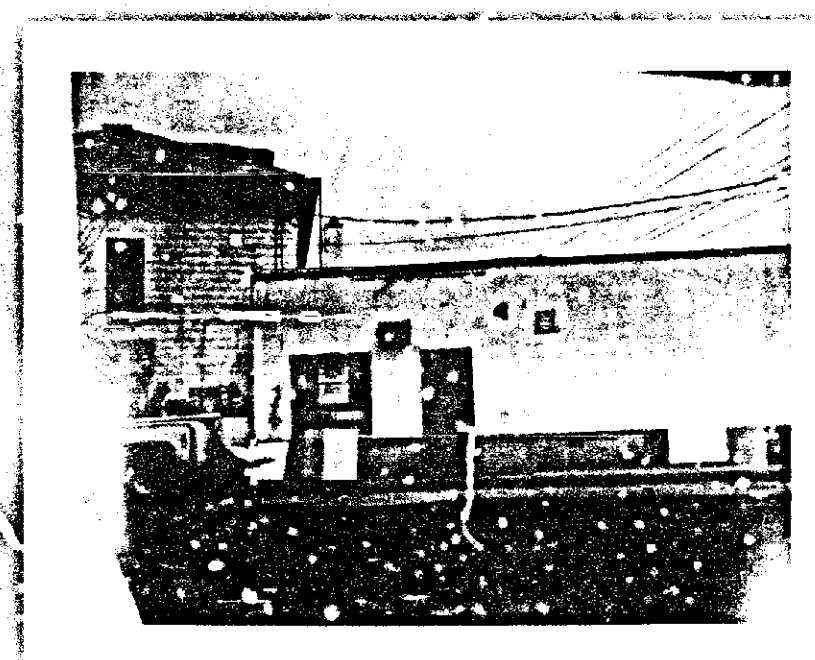
John B. Gontrum
John B. Gontrum

JBG:k1g

cc: Andrew Celmer

P.S. It is my understanding that you have already received copies of these plats from Frank Lee. On the Celmer plat in building three, the correct use is farm use and not contractors equipment.

81-212-SPH
15th Dist. 1st
W/S of Old Eastern Ave. 16th N. Rickenbacker Rd.
Gussie's, Inc., Petitioner
J - SIGN



THE ROYALMOUNT CORP.
3521-151

APARTMENTS
DR 16

522'-44'-21" W
99.70

NGG'-43'-26" W

MT. CARMEL CATHOLIC CHURCH
DR 16

APARTMENTS
4T

348.10

APARTMENTS
43.5

3172 SQ. FT.
COMMERCIAL USE
#1700

PACKING SPACES
(VACANT)

EX. 80' D.W.

29'

11'

N23'-16'-34" E

EASTERN AVE

(VACANT)

560'-41" E
16.25

DR 16
(VACANT)

THE ROYALMOUNT CORP.
3521-151

DIRT & GRASS

CONC.

CONC.

554'-23" E

RUNNER

RUNNER

181.45

MAC

44.5

25'

NGG'-43'-26" W

2'-142'-64

332.84

25'

RICKENBACKER (60') RD.

SPECIAL HEARING FOR NON CONFORMING USE FOR COMMERCIAL STORES & APTS.

No. 1700 EASTERN AVENUE

15TH DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 20'

DATE: 11-25-80

PETITIONER'S
EXHIBIT 1

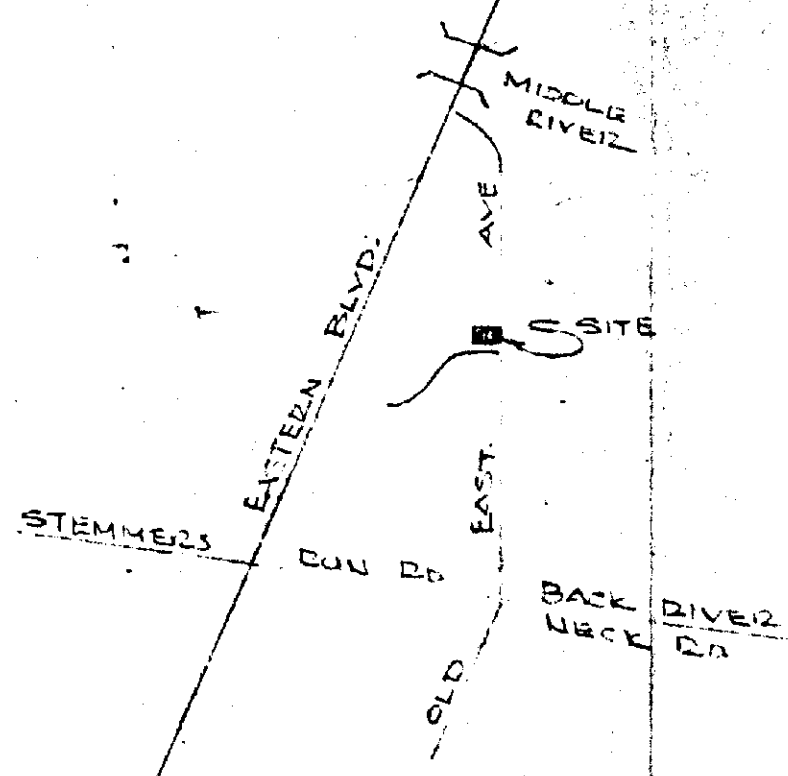
OWNED BY
CLYDE WOODARD
1700 EASTERN AVE.
BALTO, MARYLAND 21221

PUBLIC WATER & SEWERAGE NOW SERVICE LOT

EXISTING USE - STORES & APARTMENTS
PROPOSED USE - SAME
EXISTING ZONING - DR 16
PROPOSED ZONING - SAME
AREA OF LOT - 0.63 AC.
AREA OF COMM. BLOC - 3172 SQ. FT.

ALL EXISTING USES BEFORE -

LOCATION MAP
N. SCALE



ITEM #103

FRANK B. LEE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21237

MT. CARMEL CATHOLIC CHURCH
DR 16

NGG'-43'-26" W

APARTMENTS
4T

348.10

APARTMENTS
43.5

3172 SQ. FT.
COMMERCIAL USE
#1700

PACKING SPACES
(VACANT)

EX. 80' D.W.

29'

11'

N23'-16'-34" E

EASTERN AVE

(VACANT)

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16.25

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No. 1700 EASTERN AVENUE

15TH DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 20'

DATE: 11-25-80

REVISED: 3-22-81

OWNED BY

CLYDE WOODARD
1700 EASTERN AVE.
BALTO, MARYLAND 21221

PUBLIC WATER & SEWERAGE NOW SERVICE LOT

THE ROYALMOUNT CORP.
3521-151

APARTMENTS
DR 16

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99.70

NGG'-43'-26" W

APARTMENTS
4T

348.10

APARTMENTS
43.5

3172 SQ. FT.
COMMERCIAL USE
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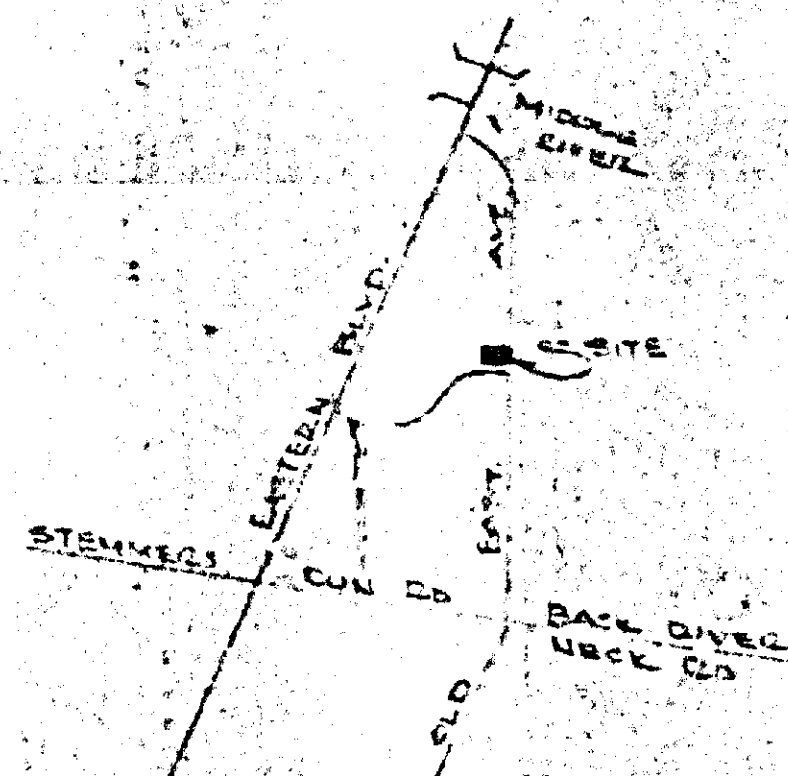
CLYDE WOODARD
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PROPOSED USE - SAME
EXISTING ZONING - DR 16
PROPOSED ZONING - SAME
AREA OF LOT - 0.63 AC.
AREA OF COMM. BLOC - 3172 SQ. FT.

ALL EXISTING USES BEFORE -

LOCATION MAP
N. SCALE



REVISED PLAN
AUG 31 RECD
AUG 31 RECD



FRANK B. LEE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21237

PETITIONER'S
EXHIBIT 1A